

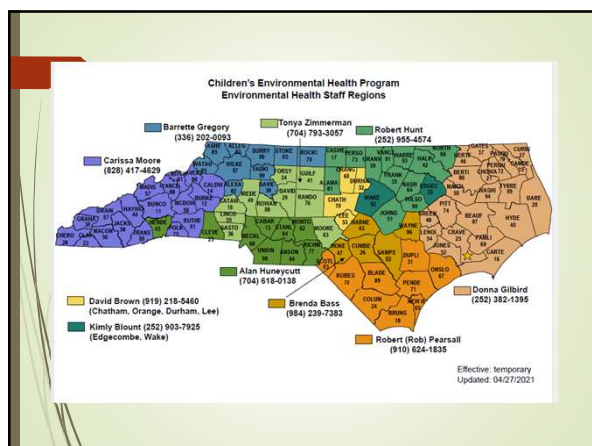
Child Care Sanitation Issues

- CEH Territory Changes
- Chemical Storage
 - COVID Related Chemicals
 - Kitchen Chemical Storage
 - School Based Centers Provisions
 - Locked Bathrooms & Classrooms
- Policy for Food Stored in Thermoses
- Rule Clarification Completion of Feeding



Child Care Sanitation Issues

- Missing Sanitation Inspections & Executive Orders
- Rules Re-adoption & Session Law
- .2821 Lead in Water Testing
- Building Resilient Environmental Health Capacity (BREHC) Program



Chemical Storage

15A NCAC 18A .2820 STORAGE

(b) All corrosive agents, pesticides, bleaches, detergents, cleansers, polishes, any product which is under pressure in an aerosol dispenser, and any substance which may be hazardous to a child if ingested, inhaled, or handled shall be kept in its original container or in another labeled container, used according to the manufacturer's instructions and **stored in a locked storage room or cabinet when not in use.**

Chemical Storage

Locked storage rooms and cabinets shall include those which are unlocked with a **combination, electronic or magnetic device, key, or equivalent locking device.** These unlocking devices shall be kept out of the reach of a child and shall not be stored in the lock. Toxic substances shall be stored below or separate from medications and food.

Chemical Storage

Any product not listed above, which is labeled "keep out of reach of children" without any other warnings, shall be kept inaccessible to children when not in use, but is not required to be kept in locked storage. The product shall be considered inaccessible to children when stored on a shelf or in an unlocked cabinet that is mounted a minimum vertical distance of five feet above the finished floor.

COVID Related Chemicals

The pandemic has not negated the responsibility of child care operators to properly store chemicals when not in use.

Hand sanitizers are still required to be inaccessible when not in use. Balance must be maintained between readily available for usage and proper storage.

If disinfectants including bleach are donated to facilities, facilities must ensure that they have proper storage for these chemicals.

Chlorine disinfectants are allowed to be stronger than the 500-800 ppm (approximately 1,000 ppm). Still in effect since we remain in a state of emergency.

Executive Order



Kitchen Chemical Storage

Chemicals in the kitchen must be stored in a locked storage room or cabinet. Kitchen was deemed not to be locked storage room or cabinet. Just having the kitchen door locked does not satisfy requirement for this rule.

This is not to be confused with kitchen accessibility and hot water. When not in use, chemicals are to be properly stored either locked or inaccessible regardless if someone is in the area.

Supervision of children in the kitchen is not equivalent to locked storage.

Chemical Storage School Based Centers


For school based centers, it is **not** considered a violation if hazardous products are left out in the cafeteria's kitchen so long as:

1. Kitchen doors are **'locked'** with a device approved by the local building/fire code inspector or Fire Marshal's Office, and;
2. A restriction is placed on the license by the Division of Child Development and Early Education (DCDEE) prohibiting children from being in the kitchen for any purpose.

If both conditions are not attainable then hazardous products must be stored in accordance with Administrative Rule 15A NCAC 18A .2820.

Chemical Storage School Based Centers

For compliance with this policy issue: local Registered Environmental Health Specialists should have child care centers contact their local building/fire code inspector or Fire Marshal's Office to determine how to appropriately **lock** kitchen doors. Child care operators should also contact DCDEE to request the license restriction.



POSITION STATEMENT:
Hazardous Product Storage in Kitchens at School-Based Licensed Child Care Centers

PURSUANT TO:
Rules Governing the Licensure of Child Care Centers, 15A NCAC 18A .2800

SOURCE:
Children's Environmental Health

QUESTION / ISSUE:
Can hazardous products stored in kitchens of school-based child care centers be left out if the kitchen is locked?

DISCUSSION AND RATIONALE:
Administrative Rule 15A NCAC 18A .2820 (b) requires all corrosive agents, pesticides, bleaches, detergents, cleaners, polishes, any substance which may be hazardous to a child if ingested, inhaled, or absorbed be kept in its original container or in another labeled container, used according to the manufacturer's instructions and stored in a locked storage room or cabinet when not in use. A locked kitchen is not a locked storage room or cabinet.

In addition, Administrative Rule 15A NCAC 18A .2800 (d) states that children attending child care centers shall not be in the kitchen except when participating in a supervised activity. Therefore, hazardous products stored in the child care center's kitchen should not be accessible to children. Moreover, supervision of children in the kitchen is not the equivalent of locked storage as required under 15A NCAC 18A .2820 (b).

RESPONSE / INTERPRETATION:
School-based centers are faced with unique challenges in which many areas of school buildings are not under the center's direct control. This includes the school's kitchen that is primarily managed by cafeteria staff. Although child care operators are required to ensure safety in all areas accessible to children and meet the requirements of the child care licensing rules, cafeteria personnel are not under direct authority of the child care center and are usually not present during the hours of operation for school-based programs that use the cafeteria space to house their program. This unique circumstance makes it difficult for school-based centers to maintain compliance with hazardous product storage being locked within the kitchen. Therefore, the following policy addresses this issue for school-based centers. It is not considered a violation if hazardous products are left out in the cafeteria's kitchen so long as:

NOT COOPER - Summary
MARLEY COOPER, MD, MPH - Secretary
MARLEY S. COOPER - Assistant Secretary for Public Health
Division of Public Health

March 8, 2021

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Chemical Storage

Locked Bathrooms & Classrooms

True or False

A locked bathroom door meets the requirement for chemical storage of hazardous products.

True or False

A locked classroom door not used due to the pandemic meets the requirement for chemical storage of hazardous products.

True or False

A locked employee's restroom meets the requirement for chemical storage of hazardous products.

Thermoses In Child Care

- Rule .2804 (f) Lunches and other meals brought from home shall be dated and identified for the appropriate child at the child's home and shall be returned to the child's home or discarded at the end of each day.
- Meals containing potentially hazardous foods shall be refrigerated at 45°F (7°C) or below.


Proposed Resolutions

Position Statement

Thermoses brought from home containing potentially hazardous hot foods should not be refrigerated but stored in a manner that prevents contamination.

Waiver

Recommended that child care centers have parents sign a waiver informing them that thermoses will not be refrigerated and food temperatures will not be monitored.

 **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

ROY COOPER - Governor
WENDEY COHEN, MD, MPH - Secretary
WENDEY COHEN, MD, MPH - Assistant Secretary for Public Health
 Division of Public Health

January 3, 2020

POSITION STATEMENT: Storage of Hot Food Products in Thermos-like Containers Brought from Home

PURSUANT TO: Rules Governing the Sanitation of Child Care Centers 15A NCAC 18A .2800

SOURCE: Children's Environmental Health

QUESTION/ISSUE: How should hot potentially hazardous foods in Thermos-like containers brought from home be stored?

DISCUSSION AND RATIONALE:
 Administrative Rule 15A NCAC 18A .2804(d) requires potentially hazardous foods brought from home to be refrigerated at 45°F (7°C) or below. Storing Thermos-like containers of hot food in a refrigerator or opening them to monitor the temperature of potentially hazardous food brought from the child's home could possibly cool the food to an unsafe temperature.

RESPONSE/INTERPRETATION:
 Hot potentially hazardous foods brought from home in Thermos-like containers should not be stored in a refrigerator. It is recommended that parents provide the child care center with written permission allowing hot potentially hazardous food stored in Thermos-like containers to be stored without refrigeration or food temperature monitoring. Thermos-like containers should be stored as per Administrative Rule 15A NCAC 18A .2804(d), which states that all food shall be stored in a manner to protect it from dust, rodents, insects, dirt, splash and other contamination.

REFERENCES:
 Rules Governing the Sanitation of Child Care Centers 15A NCAC 18A .2800

NOTE: Position statements are policy documents to clarify how to interpret or enforce a law or rule. They are not enforceable on their own but are intended to promote uniform interpretation and enforcement of the underlying law or rule.

Thermos Usage

Proposed Rule Language

Lunches and other meals brought from home shall be dated and identified for the appropriate child at the child's home and shall be returned to the child's home or discarded at the end of each day. Meals containing potentially hazardous foods shall be mechanically refrigerated at 45°F (7°C) or below, below and stored in the kitchen or in an approved food preparation area. Hot foods in thermos-like containers may be stored outside of refrigeration with written permission from a parent or guardian.

Completion of Feeding Clarification

- **No 1 Hour Rule!!!!**
- 2804(d)
- After the completion of each feeding, leftover formula, breast milk, and other bottled beverages shall be discarded or returned to the child's home at the end of each day.

Completion of Feeding Clarification Proposed Rule Language

15A NCAC 18A .2804 FOOD SUPPLIES

(h) After the completion of each feeding, leftover formula, human milk, and other bottled beverages shall be discarded or returned to the child's home at the end of each day. Feeding is completed when the caregiver has stopped feeding the child and the child has been removed from the feeding area and returned to other activities. Bottles previously used for feeding shall not be returned to communal mechanical refrigeration. Nothing in these rules shall prohibit human milk from being sent home with permission from a parent or guardian. Water bottles sent from home and used for water consumption only shall be exempt from the completion of feeding requirements, individually labeled, stored in the child's cubby and sent home at the end of the day.

Past Emerging Issues ~Current Status~

-Statewide Toothbrushing Initiative

Statewide protocols for infants and toddlers are now being implemented statewide. Protocols are on CEH's web-site.

-DIG "Farm to Child Care" Program

Local EHS must assess the child care program to determine if they are able to properly process the volume of vegetables. Information on CEH's web-site.

-Emergency Medications (Benadryl)

DCDEE & Env Health have same position. Benadryl is not an emergency medication due to response time of drug. Must be locked. No form change at this time.

More Child Care Emerging Issues



Delinquent Inspections

- Delinquent Child Care Inspections: Some centers have not been inspected since 2019, DCDEE is asking that these center be inspected. Creating a licensing renewal issues for DCDEE.
- DCDEE has compiled an updated list as of 4/26/2021 of missing inspections and should have been forwarded to counties.
- Most center have now re-opened. Counties have until the end of December to conduct inspections and be in compliance with timeframes previously set forth in executive order.

Inspection Executive Order



Rules Re-Adoption (Lead)

- Childhood Lead Poisoning Prevention Program .3100 Rules were Re-adopted. Technical changes to definitions and standards to align with EPA and HUD Guidelines.
- .3101
- .3105
- .3107

Rules Re-Adoption (Child Care)

- Re-adoption of the Child Care Rules .2800 is on going. Addressing public comments and technical changes.
- Rule have been submitted for pre-review.
- Technical changes to the following were included:
 - Updated language for definitions.
 - Clarified Sanitizer and Disinfectant requirements.
 - Reorganized rules for beverages from home.
 - Updated cooking temperatures.
 - Included glove use during food prep.
 - Defined food prep area and diapering area.
 - Clarified change of use.
 - Included guidelines for response to vomiting or diarrheal events.


Session Law (H272)

- **Session Law 2021-69 Revise Health Standard for Lead (H272)**
- Amends the "Lead poisoning hazard" definition of lead in drinking water (GS 130A-131.7(7)) to a concentration equal or greater to 10 ppb (formerly, 15 ppb). The clearance level of lead in drinking water for remediation plans has also been reduced to 10 ppb (GS 130A-131.9C(i)).
- Effective December 1, 2021

.2816 Lead Water Testing

Update As of October 2021

- **95%** of Centers have enrolled
- **90%** of Centers have completed sampling
- **4,146** Centers Enrolled
- **3,909** Centers Tested
- **22,777** Total Samples Analyzed




Work In Progress

"Disaster Recovery"

Standardized Form for Post Disaster Child Care Inspection

- The Occupational and Environmental Epidemiology Branch (OEEB) and Children's Environmental Health (CEH).
- Building Resilient Environmental Health Capacity (BREHC) Program.
- Creating a standardized post disaster form, which will include food safety, power outages, water damage, mold, structural issues and other hazards, not normally addressed on our standard sanitation inspection form.



Questions?
